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**HEALTH AND SAFETY CODE - HSC**

**DIVISION 12. FIRES AND FIRE PROTECTION [13000 - 14959]** ( Division 12 enacted by Stats. 1939, Ch. 60. )

**PART 2. FIRE PROTECTION [13100 - 13263]** ( Part 2 enacted by Stats. 1939, Ch. 60. )

**CHAPTER 3. High Rise Structures [13210 - 13217]** ( Chapter 3 added by Stats. 1973, Ch. 946. )

**13210.** As used in this chapter:

- (a) "Existing high-rise structure" means a high-rise structure, the construction of which is commenced or completed prior to July 1, 1974.
  - (b) "High-rise structure" means every building of any type of construction or occupancy having floors used for human occupancy located more than 75 feet above the lowest floor level having building access, except buildings used as hospitals, as defined in Section 1250.
  - (c) "New high-rise structure" means a high-rise structure, the construction of which is commenced on or after July 1, 1974.
- (Amended by Stats. 1974, Ch. 1246.)

**13211.** The State Fire Marshal, with the advice of the State Board of Fire Services, shall prepare and adopt building standards relating to fire and panic safety in high-rise structures and submit such building standards for approval and publication in the State Building Standards Code pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 of Division 13 of this code. The State Fire Marshal shall prepare and adopt other regulations establishing minimum standards for the prevention of fire and for the protection of life and property against fire and panic in high-rise structures. Such regulations shall differentiate between existing high-rise structures and new high-rise structures.

(Amended by Stats. 1979, Ch. 1152.)

**13212.** Subject to the provisions of Sections 25 and 18943 of this code, regulations adopted by the State Fire Marshal pursuant to Section 13211 applicable to new high-rise structures shall be adopted on or before July 1, 1974, and shall become effective July 1, 1974. Such regulations may include, but not be limited to, requirements with respect to the following elements:

- (a) Automatic smoke and fire detection systems.
- (b) Automatic fire extinguishing systems.
- (c) An intrastructure communication system for those engaged in fire suppression activities.

(Amended by Stats. 1979, Ch. 1152.)

**13213.** (a) Building standards and other regulations of the State Fire Marshal applicable to existing high-rise structures shall provide to the greatest feasible extent for the safety of occupants of the high-rise structure and persons involved in fire suppression activities. All existing high-rise structures shall be conformed to the requirements contained in such building standards and such other regulations on or before April 26, 1979.

(b) The period for compliance with such requirements may be extended upon showing of good cause for such extension if a systematic and progressive plan of correction is submitted to, and approved by, the enforcing agency. Such extension shall not exceed two years from the date of approval of such plan. Any plan of correction submitted pursuant to this subdivision shall be submitted and approved on or before April 26, 1979.

(c) This section shall not apply to structures located in a city and county if all of the following conditions exist:

- (1) The structure is used solely for residential purposes.
- (2) The structure contains 12 or fewer dwelling units.

(3) Each dwelling unit in the structure is owner-occupied.

(4) The structure is made of reinforced concrete.

(5) Each dwelling unit in the structure has at least two exits, one of which may be an existing exterior fire escape.

*(Amended by Stats. 1980, Ch. 1378.)*

**13214.** The provisions of this chapter, building standards applicable to high-rise structures published in the State Building Standards Code relating to fire and panic safety, and the other regulations of the State Fire Marshal adopted pursuant to this chapter shall be enforced in the same manner as provided in Sections 13145 and 13146. The State Fire Marshal, his deputies, or his salaried assistants, the chief of any city or county fire department or district providing fire protection services, and their authorized representatives, may enter any building, premises, or portion thereof not used for dwelling purposes at any reasonable hour for the purpose of enforcing this chapter. The owner, lessee, manager, or operator of any such building or premises shall permit the State Fire Marshal, his deputies, his salaried assistants, or the chief or any city or county fire department or district providing fire protection services, or their authorized representatives, to enter and inspect the building or premises at the time and for the purpose stated in this chapter.

*(Amended by Stats. 1980, Ch. 118.)*

**13215.** It is unlawful for any person to construct or maintain any highrise structure in violation of the provisions of this chapter, building standards published in the State Building Standards Code relating to fire or panic safety, or other regulations adopted pursuant to the provisions of this chapter. Any person who violates these provisions, standards, or regulations is guilty of a misdemeanor and, upon conviction, shall be punished by imprisonment for not to exceed six months in the county jail or by a fine not to exceed ten thousand dollars (\$10,000), or both.

A person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision, standard, or regulation within this section is continued or permitted to continue by that person after the person has been notified of the violation by the appropriate enforcing agency. In addition, any condition existing in violation of any provision, standard, or regulation within this section is a public nuisance and may be summarily abated.

*(Amended by Stats. 1981, Ch. 443.)*

**13216.** The governing body of any city or county may impose greater restrictions with respect to high-rise structures than are imposed by the building standards published in the State Building Standards Code relating to fire or panic safety or the other regulations of the State Fire Marshal adopted pursuant to this chapter.

*(Amended by Stats. 1979, Ch. 1152.)*

**13217.** (a) A city, county, or city and county fire department or district providing fire protection services may annually inspect all highrise structures for compliance with building standards and other regulations of the State Fire Marshal. If a local agency elects to perform the inspection, the results of the inspection shall be submitted to the State Fire Marshal's office in a form and manner approved by the State Fire Marshal no later than 30 days after the date of the inspection. If the local fire department or district providing fire protection services elects not to conduct an inspection, the local fire department or district shall notify, by June 30 of each year, the State Fire Marshal of this election. If the State Fire Marshal receives this notification, the State Fire Marshal shall conduct the inspection.

(b) A local agency that, or the State Fire Marshal who, inspects a highrise structure pursuant to subdivision (a) may charge and collect a fee for the inspection from the owner of the highrise structure in an amount, as determined by the inspecting entity, sufficient to pay its costs of that inspection.

*(Amended by Stats. 2019, Ch. 31, Sec. 12. (SB 85) Effective June 27, 2019.)*